

ALLEGED VIOLATIONS: On 8-24-48, the defendants caused to be given to a firm engaged in the business of shipping butter in interstate commerce a guaranty to the effect that butter shipped and delivered by the defendants under the guaranty would not be adulterated. On 9-29-60, the defendants caused to be shipped and delivered to the holder of the guaranty, at Denver, Colo., quantities of butter which was adulterated.

CHARGE: 402(b)(1)—a valuable constituent, milk fat, had been in part omitted from the article; and 402(b)(2)—a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

PLEA: Guilty.

DISPOSITION: 8-25-61. Corporation fined \$250; individual placed on probation for 1 year.

27619. Butter. (F.D.C. No. 46281. S. No. 98-346 R.)

QUANTITY: 1,262 64-lb. ctns. at Kansas City, Kans.

SHIPPED: 7-22-61, from Madison and Omaha, Nebr.

RESULTS OF INVESTIGATION: Inspection showed that the article had been damaged in transit and had been removed from the damaged rail cars during rain by employees wearing muddy shoes.

LIBELED: 8-30-61, Dist. Kans. ✓

CHARGE: 402(a)(3)—contained mud and muddy water while held for sale.

DISPOSITION: 9-7-61. Consent—claimed by Kay Gee Sales, Inc., Kansas City, Mo. Segregated; 1,120 lbs. converted for technical use.

27620. Butter. (F.D.C. No. 43767. S. No. 27-726 T.)

QUANTITY: 124 64-lb. cubes at Chicago, Ill.

SHIPPED: 9-14-61, from Ravenwood, Mo., by Ravenwood Coop. Creamery.

LABEL IN PART: "Creamery Butter Berkshire Foods, Inc. Chicago, Ill. A254."

RESULTS OF INVESTIGATION: Examination showed that the article contained insect fragments, insects, and rodent hairs.

LIBELED: 9-20-61, N. Dist. Ill. ✓

CHARGE: 402(a)(3)—contained a filthy substance when shipped.

DISPOSITION: 10-6-61. Consent—claimed by Berkshire Foods, Inc., Chicago, Ill., and denatured for use in making soap.

CHEESE

27621. Swiss cheese. (F.D.C. No. 46442. S. No. 4-267 T.)

QUANTITY: 10 cases, 12 1-lb. pkgs. each, at Landover, Md.

SHIPPED: 8-18-61, from Philadelphia, Pa., by New York Cheese Co.

LABEL IN PART: (Pkg.) "Blue Ribbon Super Special Wisconsin Sliced Swiss Cheese * * * Distributed by Grand Union Company, Washington, D.C."

RESULTS OF INVESTIGATION: Examination showed that artificial holes, or eyes, had been cut into the cheese.

LIBELED: 9-7-61, Dist. Md. ✓

CHARGE: 402(b)(3)—when shipped, artificial holes, or eyes, had been cut into the cheese, thereby concealing inferiority of the product.

DISPOSITION: 10-3-61. Default—destruction.